

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

LOGAN LENOX GORE,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

CASE NO. C12-5918 RBL-JRC

ORDER TO AMEND THE CASE  
CAPTION

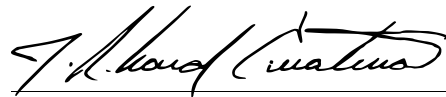
The District Court has referred this petition for a writ of habeas corpus to United States Magistrate Judge, J. Richard Creatura. The authority for the referral is 28 U.S.C. § 636(b)(1)(A) and (B), and local Magistrate Judge Rules MJR3 and MJR4. Petitioner seeks relief from a state conviction, thus, the petition is filed pursuant to 28 U.S.C. § 2254.

Petitioner has named only the State of Washington as respondent. Petitioner needs to name a natural person -- not a governmental entity. The proper respondent is the person having custody of petitioner. *See* 28 U.S.C. § 2242. This person is usually the superintendent of the facility in which petitioner is incarcerated. Petitioner's failure to name the correct party deprives

1 this Court of personal jurisdiction. *See Stanley v. California Supreme Court*, 21 F.3d 359, 360  
2 (9th Cir. 1994).

3 Petitioner is ordered to file a motion asking the Court to change the case caption and  
4 name the proper respondent. Petitioner's motion must be filed on or before November 23, 2012.

5 Dated this 19<sup>th</sup> day of October, 2012.  
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8 J. Richard Creatura  
9 United States Magistrate Judge  
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